**IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL**

**W.P. No. 432 of 2004 (M/S)**

Bharat Bhushan Gambhir ….. Petitioner

Versus

A.D.J./First F.T.C. Roorkee,
District Haridwar & others ….. Respondents

**Mr. Sanjeev Singh / Mr. Siddartha Sah, learned counsel for the petitioner.**
**Mr. Nand Prasad, learned Standing Counsel for respondents No. 1 & 2.**
**Mr. B.S. Verma, learned counsel for respondents No. 3 & 4.**

**Hon'ble P.C. Verma, A.C.J.**

By means of this writ petition, the petitioner is challenging the orders dated 19.7.2001 and 15.3.2004 passed by respondent No. 2 &1 respectively.

Heard learned counsels for the parties.

Petitioner is the tenant of respondents No. 3 & 4. Respondents No. 3 & 4 initiated proceedings under Section 21(1)(a) of the U.P. Act No. 13 of 1972 against the petitioner, which was registered as PA Case No. 1 of 2000. The said application was moved by the respondents No. 3 & 4 against the petitioner for release of the property in question in their favour. Both the parties filed their affidavits in support of their contentions. Thereafter, the matter was finally heard by respondent No. 2 and the release application of the respondents No. 3 & 4 was allowed on 19.7.2001 and the petitioner was directed to release the property in question in favour of respondents No. 3 & 4 was allowed on 19.7.2001 and the petitioner was directed to release the property in question in favour of respondents No. 3 & 4 within three months. Thereafter, the petitioner preferred an appeal under Section 22 of the Act No. 13 of 1972, which was registered as R.C.A. No. 70 of 2001 against the order dated 19.7.2001, but the same was also dismissed by respondent No. 1 vide order / judgment dated 15.3.2004. Therefore, the petitioner has field this writ petition.

A supplementary affidavit has been filed by the petitioner, in which it has been stated that the petitioner is searching for an alternative accommodation and it may take at least 1 or 2 years to secure the alternative accommodation. Therefore, the petitioner by way of supplementary affidavit, prayed for grant of 1 or 2 years time to vacate the premises in question.

In view of the statement made in the supplementary affidavit, the petitioner is granted one-year time to vacate the premises in question.

Accordingly the writ petition is disposed of. No order as to costs.

**(P.C. Verma, A.C.J.)**

Dt. 10.06.2004
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